

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- X  
YURMAN STUDIO, INC. and YURMAN  
DESIGN, INC.,

Plaintiffs/Counter-Defendants,

- against -

ELENA CASTANEDA and EJEWELER LLC  
d/b/a OVERSTOCKJEWELER.COM,

Defendants/Counter-Plaintiffs.  
----- X  
----- X

Civil Action No. 07-1241 (SAS)(HP)  
(Action No. 1)

CARTIER, a division of RICHEMONT NORTH  
AMERICA, INC., CARTIER INTERNATIONAL,  
N.V., CARTIER CREATION STUDIO, S.A., VAN  
CLEEF & ARPELS S.A., VAN CLEEF &  
ARPELS, INC., VAN CLEEF & ARPELS  
DISTRIBUTION, INC., GUCCI AMERICA, INC.,  
and BULGARI S.p.A.,

Plaintiffs,

- against -

ELENA CASTANEDA and EJEWELER LLC  
d/b/a OVERSTOCKJEWELER.COM,

Defendants.  
----- X

Civil Action No. 07-7862 (SAS)(HP)  
(Action No. 2)

**DECLARATION OF BHARAT DUBE IN SUPPORT OF THE CARTIER PLAINTIFFS  
MOTION FOR PARTIAL SUMMARY JUDGMENT**

**EXHIBIT H**

G 1703025

**THE UNITED STATES OF AMERICA**

**~~TO ALL TO WHOM THESE PRESENTS SHALL COME:~~**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**June 04, 2008**

**THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM  
THE RECORDS OF THIS OFFICE OF:**

**U.S. PATENT: *D388,332***

**ISSUE DATE: *December 30, 1997***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



*N. Williams*

**N. WILLIAMS**

**Certifying Officer**



US00D388332S

**United States Patent** [19]

Perrin et al.

[11] Patent Number: Des. 388,332

[45] Date of Patent: \*\*Dec. 30, 1997

## [54] COMBINED WATCH AND BRACELET

[75] Inventors: Alain-Dominique Perrin, Rueil  
Malmaison; Jacques Diltor,  
Villeneuve-la-Garenne, both of France

[73] Assignee: Cartier Int'l B.V., Amsterdam-C,  
Netherlands

[\*\*] Term: 14 Years

[21] Appl. No.: 50,721

[22] Filed: Jan. 3, 1996

## [30] Foreign Application Priority Data

Jul. 4, 1995 [FR] France ..... 953689

[51] LOC (6) CL ..... 10-02

[52] U.S. CL ..... D10/32; D10/39

[58] Field of Search ..... D10/1-40, 122-132;  
368/276-277, 280-282, 285; D11/3-4,  
12, 14, 19-25; 63/1.1, 3, 5.1, 11

## [56] References Cited

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D. 277,649	2/1985	Glauser	.....	D10/32
D. 294,916	3/1988	Kabaya	.....	D10/30
D. 295,264	4/1988	Takeichi	.....	D10/30
D. 365,994	1/1996	Brennan	.....	D10/32

## OTHER PUBLICATIONS

*European Jeweler*. Feb. 1984 p. 203-Watch.  
*Jeweler's Circular Keystone*-Feb. 1984 p. 83-Watch.  
*Jeweler's Circular Keystone*-May 1986 p. 68-Watch at top.  
*Jeweler's Circular Keystone*-1986 p. 202-Watches at center.

*Primary Examiner*-Nelson C. Holtje  
*Attorney, Agent, or Firm*-Cushman Darby & Cushman  
Intellectual Property Group of Pillsbury Madison & Sutro  
LLP

## [57] CLAIM

The ornamental design for a combined watch and bracelet,  
as shown and described.

## DESCRIPTION

FIG. 1 is a front elevational view of a combined watch and bracelet showing our new design;  
FIG. 2 is a rear elevational view thereof;  
FIG. 3 is a right side elevational view thereof, the left side being a mirror image thereof;  
FIG. 4 is a bottom plan view thereof;  
FIG. 5 is a top plan view thereof; and,  
FIG. 6 is a perspective view thereof from the front, top and right side.

1 Claim, 2 Drawing Sheets



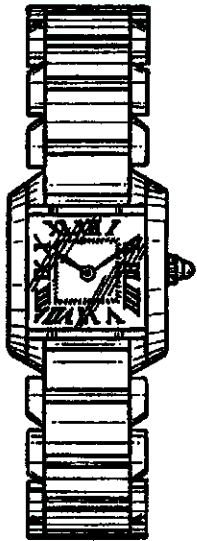
**U.S. Patent**

**Dec. 30, 1997**

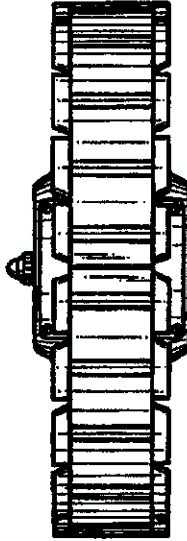
**Sheet 1 of 2**

**Des. 388,332**

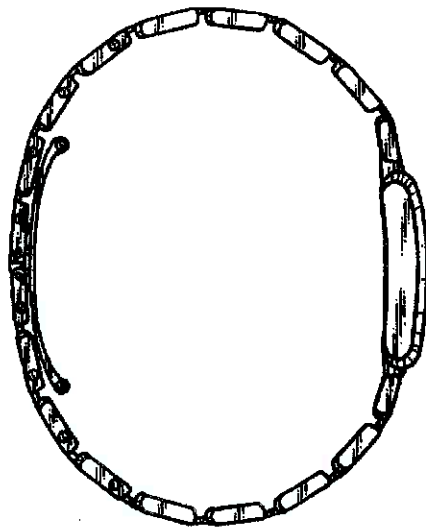
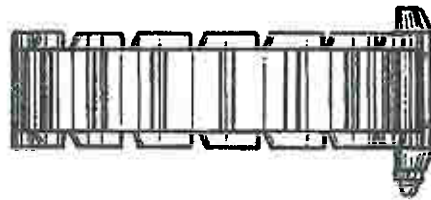
**FIG.1**



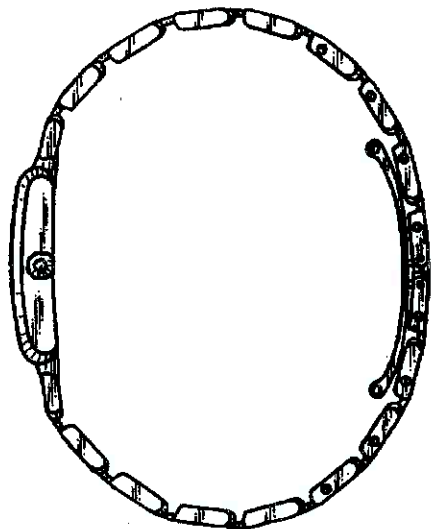
**FIG.2**



**FIG.3**



**FIG.4**



**FIG.5**

**U.S. Patent**

**Dec. 30, 1997**

**Sheet 2 of 2**

**Des. 388,332**



**FIG. 6**

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Men's Jewelry  
Judith Leiber Inspired Bags

**CATEGORIES**

Engagement Rings  
Chandelier Earrings  
Bridal Jewelry  
Heart Shaped Jewelry  
Tennis Bracelets & Necklaces  
Chains  
Cufflinks  
Clover Jewelry  
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**PLAINTIFF'S EXHIBIT**  
79  
2/18/08 JD

Skull Jewelry

## DEPARTMENTS

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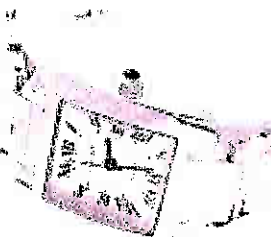
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Designer -esque Inspired .925 Sterling Silver Asscher Cut Diamond CZ Stud Earrings \$20.99

Tiffany -esque Style Sterling Silver Wire Bracelet \$12.99

Fred Leighton Inspired Sterling Silver Diamond CZ Pave Bridal Wedding Pin \$33.99

## DESCRIPTION:

This Cartier -esque Inspired Ladies Watch is made of stainless steel back. In an homage to the designer's famed Tank Collection, the band's sleek links are finished in a high polished touch to accent the square-shaped watch face's classic look and Roman numeral dial. This item has significant weight and will fit up to a 9 inch wrist. Different from a Cartier -esque look a like, this sophisticated timepiece is made with the highest quality materials. The magnificent craftsmanship and elegant design of this piece are sure to make counting down the minutes look a lot more fashionable.

Measures:

9" in length x 1.25" in watch face width

Weight:

74 grams

Material:

Stainless Steel, brass

Category:

watches cartier-esque woman stainless steel square

All measurements are approximate. Designer mentioned does not make this item. Please read our disclaimer.

disclaimer.

## CUSTOMER REVIEWS:

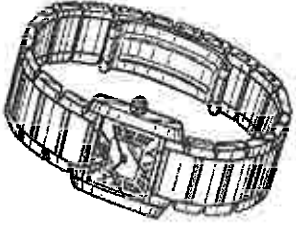

Earrings are beautiful! Looks to be much more expensive than what I paid. I received items very quickly. Will be shopping more on this web site!

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**The Cartier Design Patents & The Overstock Jeweler Infringing Products**

U.S. Patent No.	Claim	Drawing	Overstockjeweler.com Item & Item No.
D388,332	The ornamental design for a combined watch and bracelet, as shown.		 BRT-WCRTT2